

Calendar No. 260

105TH CONGRESS
1ST SESSION

S. 336

To convert certain excepted service positions in the United States Fire Administration to competitive service positions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1997

Mr. SARBANES introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

NOVEMBER 6, 1997

Reported by Mr. THOMPSON, without amendment

A BILL

To convert certain excepted service positions in the United States Fire Administration to competitive service positions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONVERSION OF CERTAIN EXCEPTED SERVICE**
2 **POSITIONS IN THE UNITED STATES FIRE AD-**
3 **MINISTRATION TO COMPETITIVE SERVICE**
4 **POSITIONS.**

5 (a) IN GENERAL.—No later than the date described
6 under subsection (d)(1), the Director of the Federal
7 Emergency Management Agency and the Director of the
8 Office of Personnel Management shall take such actions
9 as necessary to convert each excepted service position es-
10 tablished before the date of the enactment of this Act
11 under section 7(c)(4) of the Federal Fire Prevention and
12 Control Act of 1974 (15 U.S.C. 2206(c)(4)) to a competi-
13 tive service position.

14 (b) EFFECT ON EMPLOYEES.—Any employee em-
15 ployed on the date of the enactment of this Act in an ex-
16 cepted service position converted under subsection (a)—

17 (1) shall remain employed in the competitive
18 service position so converted without a break in serv-
19 ice;

20 (2) by reason of such conversion, shall have
21 no—

22 (A) diminution of seniority;

23 (B) reduction of cumulative years of serv-
24 ice; and

25 (C) requirement to serve an additional pro-
26 bationary period applied; and

1 (3) shall retain their standing and participation
 2 with respect to chapter 83 or 84 of title 5, United
 3 States Code, relating to Federal retirement.

4 (c) PROSPECTIVE COMPETITIVE SERVICE POSI-
 5 TIONS.—Section 7(c)(4) of the Federal Fire Prevention
 6 and Control Act of 1974 (15 U.S.C. 2206(c)(4)) is amend-
 7 ed to read as follows:

8 “(4) appoint faculty members to competitive
 9 service positions and with respect to temporary and
 10 intermittent services, to make appointments of con-
 11 sultants to the same extent as is authorized by sec-
 12 tion 3109 of title 5, United States Code;”.

13 (d) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Except as provided under
 15 paragraph (2), this Act shall take effect on the first
 16 day of the first pay period, applicable to the posi-
 17 tions described under subsection (a), beginning after
 18 the date of the enactment of this Act.

19 (2) ADMINISTRATIVE ACTIONS.—

20 (A) CONVERSION OF POSITIONS.—The Di-
 21 rector of the Federal Emergency Management
 22 Agency and the Director of the Office of Per-
 23 sonnel Management shall take such actions as
 24 directed under subsection (a) on and after the
 25 date of the enactment of this Act.

- 1 (B) NEW POSITIONS.—Subsection (c) shall take
2 effect on the date of the enactment of this Act.

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